

REMARKS

Claims 17, 19, 21, 23, 24, 36, 28, 29, 31, 32, 34, 36, 37, 39, 40, 42, 44, 45, 47, 48, 50, 52, 53, 55, 56, 58-60, 62, 63, and 65-76 are pending in this application. All claims currently stand rejected, and claims 17, 23, 26, 31, 34, 39, 42, 47, 50, 55, 58, and 62 have been amended. Reconsideration and allowance of the present application are respectfully requested in light of the preceding amendments and following remarks.

Claim Rejections – 35 U.S.C. § 103

Claims 17, 19, 21, 23, 24, 36, 28, 29, 31, 32, 34, 36, 37, 39, 40, 42, 44, 45, 47, 48, 50, 52, 53, 55, 56, 58-60, 62, 63, and 65-76 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat Pub 2002/0046328 to Okada (“Okada”) in view of EP Pat 0847198 to Yamane et al. (“Yamane”). Applicants respectfully traverse this rejection for the reasons detailed below.

In response to Applicants’ arguments that Yamane does not disclose the recited “flag” on a computer readable medium, because the multi-scene flag VOB_Fp of FIG. 27 is created only in the encoder/reproduction device and is not present on the recording medium, let alone in a navigation unit thereof, the Examiner instead applies the multi-angle flag VOB_Fm to meet the recited “flag.” Applicants respectfully submit that VOB_Fm is in the same VOB set as VOB_Fp and is created **only in the encoder/reproduction device**, not on the actual recording medium. See Yamane, FIG. 27, element VOB_Fm, p. 38, l. 48 – p. 39, l. 18 (VOB_Fm extracted from scenario data St7); p. 6, ll. 29-37

(describing creation of St7 in editor 100 from source data and user edits). Nor can the Examiner interpret the encoder/reproduction device of Yamane as the recited “recording medium,” as this raises significant questions of combinability with Okada (disclosing an actual optical recording medium) and interpretation of claims 42 and 50, which recite optical pickups and controllers not disclosed or useable to reproduce and/or write data in the encoder/reproduction device of Yamane. Thus, Yamane still lacks a “recording medium” including “a single flag” whose value indicates single/multiple reproduction paths as recited in claims 17, 26, 34, 42, 50, and 58.

With further regard to the independent claims, Applicants previously argued that the “**third navigation units [do] not include[e] video data,**” and as such the “third navigation units” cannot be met by the VOB of Yamane. The Examiner does not address this claim element in the April 7, 2008 Office Action, and appears to apply the VOB-A, B, C, of Yamane as the third navigation units specifically because they do include video data. Applicants reiterate that the VOB of Yamane includes an angle interleave unit, A-ILVUb, that stores **content**, including video data. See Yamane, p. 36, l. 55 – p. 37, l. 46. Thus, the VOBs and A-ILVUbs of Yamane do not meet a third navigation unit as recited. As stated, Applicants previously traversed the rejections over Yamane and Okada based on the above arguments and fail to understand how or where the Examiner has addressed and overcome these arguments in the Office Action. Applicants thus respectfully request an Examiner Interview, below, in order to better understand the Examiner’s reasoning in rejecting the

claims over Okada and Yamane, despite the above-argued distinctions between the claims and these references.

Applicants also submit that, with regard to claim 17 and each other independent claim, the Examiner appears to allege that the header of A-ILVUb1 in Yamane meets the recited “first navigation unit” and that the header of A-ILVUb2 in Yamane meets the recited “second navigation unit.” Applicants respectfully submit that claim 17 requires that the “the **first navigation unit includ[es] one or more second navigation units.**” Yamane does not disclose any nesting of its A-ILVUb units in order to meet the recited inclusion; rather, each A-ILVUb in Yamane appears to be **separated from other A-ILVUbs** within individual VOBs. See Yamane, FIG. 49, elements A-ILVUb#. Thus, Yamane further lacks the recited inclusion of second navigation units within first navigation units.

Lastly, Applicants note that each independent claim has been amended to further recite that the “second navigation unit includ[es] connection information linking a start time of the at least one second navigation unit and an end time of a previous second navigation unit.” Applicants submit that none of Okada and Yamane disclose this newly-presented limitation; rather, each of Okada and Yamane are silent with regard to any start and end times stored in what the Examiner applies as “second navigation units.”

Okada does not cure the teaching and suggestion deficiencies discussed above with regard to Yamane. Specifically, Okada does not disclose a recoding

media-based flag that indicates multiple reproduction path usage or the “first,” “second,” or “third” navigation units related as recited. Because Okada, alone or in combination with Yamane, fails to teach or suggest each and every feature of claim 17 as previously presented, these references cannot anticipate or render obvious claim 17. Claims 26, 34, 42, 50, 58 recite the same unique features as claim 17, discussed above, and are thus also allowable over Okada and Yamane. Claims 19, 21, 23, 24, 36, 28, 29, 31, 32, 36, 37, 39, 40, 44, 45, 47, 48, 52, 53, 55, 56, 59, 60, 62, 63, and 65-76 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 17, 19, 21, 23, 24, 36, 28, 29, 31, 32, 34, 36, 37, 39, 40, 42, 44, 45, 47, 48, 50, 52, 53, 55, 56, 58-60, 62, 63, 65-76 under 35 U.S.C. § 103(a) is respectfully requested.

Examiner Interview Requested

In light of the above distinctions between Yamane and Okada as applied and the claims, Applicants respectfully request for the Examiner to contact Applicants' representative, whose contact information is below, and schedule an interview to discuss the teachings of Yamane and Okada. This interview may be combined with the requested interview in co-pending application 10/176,364, also rejected over Yamane and Okada by the Examiner.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of each of the pending claims of the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Applicants' representative at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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